

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

ZACHARY BARFIELD,

Plaintiff,

v.

**Civil Action 1:24-cv-319
Judge Jeffery P. Hopkins
Magistrate Judge Chelsey M. Vascura**

C/O HAYES, *et al.*,

Defendants.

ORDER

Plaintiff, Zachary Barfield, an Ohio inmate who is proceeding without the assistance of counsel, sues two corrections officers at the Southern Ohio Correctional Facility under 42 U.S.C. § 1983, alleging that the officers failed to protect Plaintiff from assault by another inmate. This matter is before the Court on Plaintiff's Motion to Compel Discovery (ECF No. 20). For the reasons below, Plaintiff's Motion is **DENIED**.

Plaintiff asserts that he served document requests, interrogatories, and written deposition questions on Defendants' counsel in September and October 2024. Plaintiff contends that he never received answers to at least some interrogatories and that Defendants' objections to his other discovery requests were baseless. Plaintiff also contends that he never received certain video footage he requested. (Pl.'s Mot., ECF No. 20.) In response, Defendants admit that they failed to timely serve their interrogatory answers, but that they served their answers as soon as they had notice of Plaintiff's Motion on December 3, 2024. Defendants also assert that Plaintiff has now viewed all requested video footage and represents that Plaintiff has signed a receipt

acknowledging as much, “which is available if this Court should like to review it.” (Defs.’ Mem. in Opp’n 1, ECF No. 27.) Defendants also represent that they have corresponded with Plaintiff about Plaintiff’s perceived deficiencies with Defendants’ other discovery responses, referencing (but not attaching) letters of October 28, 2024, and October 31, 2024. (*Id.*) Plaintiff did not file a reply and the time to do so has now expired.¹

Given Defendants’ undisputed representations, it appears that much of Plaintiff’s Motion is moot. Defendants assert, and Plaintiff does not contest on reply, that Defendants have now served their interrogatory answers and provided Plaintiff an opportunity to view the requested video footage. As to any remaining disputes over Defendants’ objections to Plaintiff’s requests, Plaintiff does not identify the requests in question or explain why any relevance or privilege objections are unfounded. The Court finds no grounds to compel further responses to Plaintiff’s discovery requests.

For these reasons, Plaintiff’s Motion to Compel (ECF No. 20) is **DENIED**. Upon review, it appears that several documents intended as exhibits to Plaintiff’s Motion were also inadvertently docketed as separate motions. The Clerk is **DIRECTED** to terminate ECF Nos. 21, 22, and 24 from the Court’s active motions list.

IT IS SO ORDERED.

/s/ Chelsey M. Vascura
CHELSEY M. VASCURA
UNITED STATES MAGISTRATE JUDGE

¹ Given Plaintiff’s failure to dispute any of Defendants’ representations on reply, the Court considers these facts to be undisputed. That said, Defendants are advised in the future to attach properly authenticated copies of any documents on which they intend to rely as exhibits to their motion briefing.